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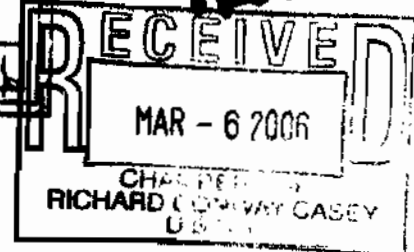
*Application granted
Parties not appear
for conference
on Friday, March
24. at 9:30am
in courtroom 14c*

March 3, 2006

USDC SDNY
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VIA FEDERAL EXPRESS

Honorable Richard Conway Casey
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007



Re: Mirabilis Ventures, Inc. v. Brentwood Capital Corporation and
Charles J. Spinelli
Southern District of New York
Civil Case No. 05-7905 (RCC) (FM)

Dear Judge Casey:

Our firm was recently engaged to represent the defendants, Brentwood Capital Corporation and Charles J. Spinelli, in the above-captioned civil action. The purpose of this letter is to advise the Court of certain facts and to request a conference in accordance with this Court's rules of practice.

Last week, our firm was engaged to appear on behalf of the defendants. Upon learning that the time to respond to the complaint (which had previously been extended through the intervention of other lawyers representing defendants' interests) lapsed, we immediately contacted plaintiff's counsel to request a modest adjournment of defendants' time to respond to the complaint. Counsel indicated that a responsive pleading was more than two months overdue and that plaintiff was unwilling to withdraw its recently submitted application seeking the clerk's entry of default. By letter dated February 22, 2006, we offered to plaintiff's counsel factual and legal support for our request, but have received no response.

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Honorable Richard Conway Casey

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Based upon the brief procedural history of this case and the settled law in this Circuit, we do not believe that a default judgment is warranted. Inasmuch as an initial case management conference has not yet been scheduled in accordance with Section 3A of this Court's rules of practice, and a pre-motion conference to challenge the entry of default would in any event be required under Section 2A, we hereby respectfully request a conference with the Court.

We await the Court's earliest response.

Respectfully submitted,


David M. Levy

DML/rlm

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